

REMARKS

Applicant hereby elects without traverse for prosecution the invention in claim 1, covering claims 1-18. The Examiner states on page 2 of the Office Action that Applicant made a provisional election with traverse on August 2, 2002. This is not the case, at no point did Applicant traverse the election. Accordingly, claims 19-22 are withdrawn without traverse.

As requested by the Examiner, "Prior Art" has been added to figures 3 and 3A.

Claims 4, 17 and 18 have been amended to correct typographical errors.

Claims 2-5 and 9-16 have been allowed and claim 1 remains rejected. The Examiner rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,456,665, issued to Ehr et al. ("Ehr"). It is respectfully submitted that claim 1 as amended overcomes the Examiner's rejection.

The Examiner states that Ehr's gas lumen insert 20' is disposed within gas lumen 32 within catheter tube 12'. As can be seen in FIG. 4 the portion of catheter tube 12' that defines gas lumen 32, and thus, gas lumen 32 itself, extends only for the length of the balloon membrane. Claim 1 of the present invention now requires that the gas lumen extend the length of the catheter tube. Accordingly, reconsideration of claim 1 is respectfully requested.

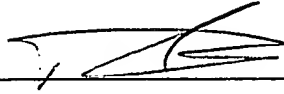
New claim 23 has been added. No new matter has been added. See page 8, lines 5-8, where it is stated that the gas lumen is preferably designed to occupy substantially the entire gas lumen.

Applicants have made a diligent effort to place the claims in condition for allowance. Reconsideration and further examination is respectfully requested. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Abraham Ronai, Applicants' Attorney at 201-307-5350 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

October 16, 2002

Date

A handwritten signature in dark ink, appearing to be 'A. Ronai', is written over a horizontal line.

Abraham Ronai

Attorney/Agent for Applicant(s)

Reg. No. 41275

Abraham Ronai  
Patent Attorney  
14 Philips Parkway  
Montvale, NJ 07645

Tel. 201-307-5350